

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

VIRGINIA ANN FOX,

Plaintiff,

v.

KILOLO KIJAKAZI,<sup>1</sup> Acting Commissioner  
of Social Security,

Defendant.

: CIVIL ACTION NO. 3:18-CV-1486

:

: (JUDGE MARIANI)

: (Magistrate Judge Saporito)

:

:

:

:

:

:

ORDER

AND NOW, THIS 17th DAY OF NOVEMBER 2021, upon consideration of

the pending Report and Recommendation ("R&R") (Doc. 20) and all relevant documents, for  
the reasons set forth in the accompanying Memorandum Opinion, **IT IS HEREBY**

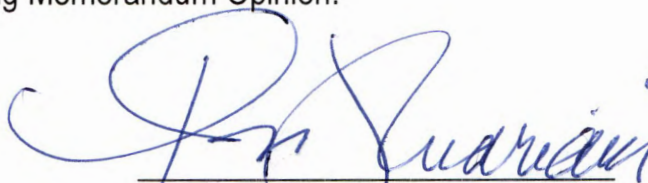
**ORDERED THAT:**

1. The R&R (Doc. 20) is **ADOPTED IN PART**;
2. The Court **DOES NOT ADOPT** the recommendation that the Commissioner's  
decision be affirmed (Doc. 20 at 37);
3. Plaintiff's appeal is **GRANTED IN PART**;

---

<sup>1</sup> Pursuant to Fed. R. Civ. P. 25(d), Kilolo Kijakazi, the current Acting Commissioner of Social Security, is substituted for former Acting Commissioner of Social Security Nancy Berryhill as the named defendant in this action.

4. This matter is **REMANDED** to the Acting Commissioner for further consideration consistent with the accompanying Memorandum Opinion.

A handwritten signature in blue ink, appearing to read "R. Mariani", is written over a horizontal line.

Robert D. Mariani  
United States District Judge